

Notice of Allowability

Application No.

09/906,995

Examiner

Yogesh C. Garg

Applicant(s)

KINOSHITA, HARUHIKO

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/08/2006 & Interview summary on 2/13/2007.
2. ☒ The allowed claim(s) is/are 1, 5, 6 and 7.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date 04/26/2005.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 1/14/04&5/20/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

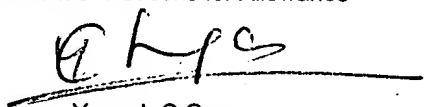
5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 2/13/2007.

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____


Yogesh C Garg
Primary Examiner
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DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/12/2006 has been entered.
2. In view of the applicant's amendments made to claim 8 in the amendment filed on 10/12/2006, objection to specification under 35 U.S.C. 132(a) and rejection of claims 8-9 under 35 USC 112, first and second paragraphs are now withdrawn.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for the part of this examiner's amendment was given in a telephone interview with attorney Mr. B. Hennessey on 2/13/2007 and the email message received on 2/20/2007. Subsequently the examiner tried to contact Mr. Hennessey both by telephone and email sent on 2/27/2007 to get approval for minor amendments required to remove ambiguities and lack of antecedences from claims 1 and 5-7. Since Mr.

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Hennessey was not available for the whole week contacted Mr. Hennessey's secretary Fran Doyle and informed her about these amendments made to claims 1 and 5-7. As mentioned above, if the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

AMENDMENTS TO THE CLAIMS:

1. (Currently Amended) A system for performing a mileage service depending on a distance traveled by a vehicle, comprising:

- a boarding reservation terminal;

- a boarding acceptance terminal;

- a boarder information database device;

- a mileage information database device; and

- a corporation vs. individual relationship information database device;

wherein each of the devices and terminals is connected to each other device and terminal by a communication link;

wherein said boarding reservation terminal includes means for accepting a boarding reservation and means for transmitting boarding reservation information;

wherein said boarding acceptance terminal includes means for accepting a boarding information and means for transmitting boarding acceptance information to said boarder information database device;

wherein said boarder information database device comprises:

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a boarder information database,

means for receiving said boarding reservation information transmitted from said boarding reservation terminal,

means for asking said mileage information database device for customer attributes with respect to at least the mileage service of a boarding customer based on said boarding reservation information,

means for recording said boarding reservation information and said customer attributes in combination,

means for returning said boarding reservation information and said customer attributes in combination to said boarding reservation terminal,

means for receiving said boarding acceptance information transmitted from said boarding acceptance terminal,

means for storing said boarding acceptance information in said boarder information database, and means for transmitting said boarding acceptance information to said mileage information database device;

wherein said mileage information database device comprises:

a mileage information database storing accumulated miles information and said customer attributes,

means for retrieving said customer attributes from said mileage information database in response to an inquiry about said customer attributes from said boarder information database device,

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means for transmitting the retrieved customer attributes to said boarder information database,

means for receiving said boarding acceptance information transmitted from said boarder information database device, and

means for asking said corporation vs. individual relationship information database device for corporation vs. individual relationship information indicative of whether said boarding customer is employed by a corporation registered for a corporate mileage service, and

means for determining whether usage of the vehicle covered by the mileage service is for a business of said corporation registered for the corporate mileage service, based on comparison between a working date and a working location of the employee and a usage date and a location of using the vehicle covered by the mileage service; and

mileage information storing means adapted to:

subtract miles included in said boarding information from accumulated miles of said boarding customer if said boarding customer is employed by the said corporation registered for the corporate mileage service based on said corporation vs. individual relationship information transmitted from said corporation vs. individual relationship information database device and if said usage of the vehicle is covered by the corporate mileage service for a business of said corporation based on said determining means,

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add the subtracted miles included in said boarding information to miles of the corporation, and

reflect the result of the subtraction and the addition of the miles included in said boarding information in said mileage information database;

wherein said corporation vs. individual relationship information database device comprises:

a corporation vs. individual relationship information database storing in combination corporate mileage identification numbers of corporations registered for the corporate mileage service and personal mileage identification numbers of individuals employed by the corporations,

means for retrieving corporation vs. individual relationship information from said corporation vs. individual relationship information database in response to an inquiry from said mileage information database device, and

means for transmitting the retrieved corporation vs. individual relationship information to said mileage information database device.

2-4. (Canceled)

5. (Currently Amended) A system for performing a mileage service depending on a distance traveled by a vehicle covered by the mileage service, comprising:

a reservation terminal for using the vehicle covered by the mileage service;

an acceptance terminal for using the vehicle covered by the mileage service;

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a usage information database device;

a mileage information database device storing accumulated miles information;

and

a corporation vs. individual relationship information database device;

wherein each of the devices and terminals is connected to each other device and terminal by a communication link;

wherein said reservation terminal comprises:

means for accepting a reservation for using the mileage service, and

means for transmitting reservation details to said usage information

database device;

wherein said acceptance terminal comprises:

means for accepting usage of a mileage-related service or payment of a consideration to use the vehicle covered by the mileage service, and

means for transmitting usage details to said usage information database device;

wherein said usage information database device comprises:

a usage information database storing information of the usage details of the mileage-related service or the payment of the consideration,

means for receiving said usage details,

means for storing the received usage details in said usage information database, and

means for transmitting said usage details to said mileage information database device;

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wherein said corporation vs. individual relationship information database device comprises:

a corporation vs. individual relationship information database storing in combination corporate mileage identification numbers of corporations registered for a corporate mileage service and personal mileage identification numbers of individuals employed by the corporations,

means for retrieving corporation vs. individual relationship information from said corporation vs. individual relationship information database in response to an inquiry from said mileage information database device, and

means for transmitting the retrieved corporation vs. individual relationship information to said mileage information database device;

wherein said mileage information database device comprises:

a mileage information database storing accumulated miles information,

means for receiving said usage details transmitted from said usage information database device,

means for asking said corporation vs. individual relationship information database for corporation vs. individual relationship information indicative of whether a mileage service recipient is employed by one of the corporations registered for a corporate mileage service or not is not employed by one of the corporations registered for a corporate mileage service based on said usage details,

means for determining whether miles earned by an employee of the corporation said one of the corporations registered for a corporate mileage service for

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the usage of the vehicle covered by the mileage service belong to the corporation said one of the corporations registered for a corporate mileage service or the employee, based on said corporation vs. individual relationship information,

means for determining whether usage of the vehicle covered by the mileage service is for a business of said one of the corporations registered for a corporate mileage service, based on comparison between a working date and a working location of the employee and a usage date and a location of using the vehicle covered by the mileage service, and

means for storing the earned miles selectively as accumulated miles of the corporation or accumulated miles of the employee in said mileage information database, based on the result determined by the said both means for determining and said usage details.

6. (Currently Amended) A system for performing a mileage service depending on a distance traveled by a vehicle covered by the mileage service, comprising:

- a reservation terminal for using the vehicle covered by the mileage service;
- an acceptance terminal for accepting an application for using the vehicle covered by the mileage service;
- a usage information database device;
- a mileage information database device storing accumulated miles information;
- a corporation vs. individual relationship information database device; and
- a working information database device;

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wherein each of the devices and terminals is connected to each other device and terminal by a communication link;

wherein said reservation terminal comprises:

means for accepting a reservation for a boarding covered by the mileage service, and

means for transmitting reservation details to said usage information database device;

wherein said acceptance terminal comprises:

means for accepting usage of the vehicle covered by the mileage service or payment of a consideration to use the vehicle covered by the mileage service, and

means for transmitting usage details to said usage information database device;

wherein said usage information database device comprises:

a usage information database storing information of the usage of the vehicle covered by the mileage service or the payment of the consideration,

means for receiving said usage details, means for storing the received usage details in said usage information database, and

means for transmitting said usage details to said mileage information database device;

wherein said corporation vs. individual relationship information database device comprises:

a corporation vs. individual relationship information database storing in

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combination corporations registered for a corporate mileage service and personal mileage identification numbers of employees of the corporations,

means for retrieving added miles recipient information from said corporation vs. individual relationship information database in response to an inquiry from said mileage information database device for information as to whether an individual as an added miles recipient belongs to one of the corporations registered for the corporate mileage service, and

means for transmitting corporation vs. individual relationship information indicative of whether the retrieved added miles recipient is employed by said one of the corporations registered for the corporate mileage service or is not employed by said one of the corporations registered for the corporate mileage service to said mileage information database device;

wherein said working information database device comprises:

a working information database storing working information of the employee, and

means for transmitting the working information in response to an inquiry;

wherein said mileage information database device comprises:

a mileage information database storing accumulated miles information,

means for asking said corporation vs. individual relationship information database for corporation vs. individual relationship information based on said usage details transmitted from said usage information database device,

means for asking said working information database for working

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information of the employee as the mileage service recipient,

means for determining whether miles earned by the usage of the mileage service or the payment of the consideration belong to ~~the corporation~~ said one of the corporations registered for the corporate mileage service or the employee as a mileage service recipient, based on said working information and said corporation vs. individual relationship information,

means for determining whether usage of the vehicle covered by the mileage service is for a business of said one of the corporations registered for the corporate mileage service , based on comparison between a working date and a working location of the employee and a usage date and a location of using the vehicle covered by the mileage service, and

means for storing the earned miles selectively as accumulated miles of the corporation or as accumulated miles of the employee in said mileage information database, based on a result determined by said both means for determining.

7. (Currently Amended) A method of performing a mileage service depending on a distance traveled by a vehicle, comprising the steps of:

registering in combination corporations registered for a corporate mileage service and personal mileage identification numbers assigned to employees of the corporations in a corporation vs. individual relationship information database;

transmitting the personal mileage identification number assigned to one of the employees of one of the corporations when a boarding reservation is made using a

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boarding reservation terminal;

transmitting boarding acceptance information including boarding details when a boarding process is carried out for a boarder using a boarding acceptance terminal;

receiving said boarding acceptance information and said personal mileage identification number,

adding miles earned by said boarder to accumulated miles of said boarder using said personal mileage identification number as a retrieval key, and

asking said corporation vs. individual relationship information database for information as to whether said boarder is an employee of one of the corporations registered for the corporate mileage service, using said personal mileage identification number as a retrieval key;

determining whether usage of the vehicle covered by the mileage service is for a business of a corporation said one of the corporations registered for the corporate mileage service, based on comparison between a working date and a working location of the employee and a usage date and a location of using the vehicle covered by the mileage service; and

if said boarder is an employee of one of the corporations registered for the corporate mileage service and said usage of the vehicle covered by the mileage service is for a business of said one of the corporations registered for the corporate mileage service, subtracting miles from accumulated miles of said boarder, adding the subtracted miles to accumulated miles of said one of the corporations, and reflecting the subtraction and addition of miles in a mileage information database.

8-9. (Canceled)

Allowable Subject Matter

3. Claims 1, 5-7 are allowed.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

With regards to method claim 7, the prior art of record, either alone or combined, neither fairly anticipates/suggests nor renders obvious a method of performing a mileage service depending on a distance traveled by a vehicle, comprising, inter alia, the steps of registering in combination corporations registered for a corporate mileage service and personal mileage identification numbers assigned to employees of the corporations in a corporation vs. individual relationship information database, adding miles earned by said boarder to accumulated miles of said boarder using a personal mileage identification number as a retrieval key, asking said corporation vs. individual relationship information database for information as to whether said boarder is an employee of one of the corporations registered for the corporate mileage service, using said personal mileage identification number as a retrieval key, determining whether usage of the vehicle covered by the mileage service is for a business of said one of the corporations registered for the corporate mileage service, based on comparison between a working date and a working location of the employee and a usage date and a location of using the vehicle covered by the mileage service and if said boarder is an employee of one of the corporations registered for the corporate mileage service and

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said usage of the vehicle covered by the mileage service is for a business of said one of the corporations registered for the corporate mileage service, subtracting miles from accumulated miles of said boarder, adding the subtracted miles to accumulated miles of said one of the corporations, and reflecting the subtraction and addition of miles in a mileage information database.

Since system claims 1 and 5-6 include functional limitations and language very close to already discussed limitations and language above in allowing claim 7, the reasons for allowance for claims 1 and 5-6 are based on a similar rationale.

4. Discussion of most relevant prior art:

Brower, Helen; " Business Travel-corporate plans; JAL develops bonus program that companies bank on"; Travel Weekly; v44, p64 (3); March 31, 1985; extracted from Dialog hereinafter referred to Brower discloses a public use of the concept of splitting the earned miles on a vehicle covered by mileage service to corporation's account and the employee's personal account. Brower discloses determining if the earned miles at the time of boarding, that is usage of the vehicle/plane seats belong to corporation [meant for business of a corporation] or the individual and based upon determination it splits the earned miles at the time of boarding into actual travel miles for the corporation and bonus miles for the individual and they are then credited and stored selectively. Brower discloses determining if the plane seats, which correspond to a vehicle, are reserved for the business of corporation. The determination is made from the sticker bearing the corporation's identification number and attached to the ticket coupons. If the

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sticker provided with the ticket coupon at the time of the boarding then the actual travel miles are credited to corporation. It is evident from Brower's disclosure to one of an ordinary skilled in the art that if the sticker with the corporation's identification number is not attached with the ticket coupon, then the plane seats, that is the vehicle, are not reserved for the business of corporation and therefore the earned miles would be credited to the individual's account (" *The key difference is that under the JAL Corporate Mileage Bank , the company and the employee can split the mileage credits.JAL keeps tabs on the company's mileage accumulation based on the airline's receipt of ticket coupons to which employees have attached special stickers with the corporation's identification number.*

Periodic Reports:

Reports are then issued periodically to the company, or an update may be obtained from a local JAL representative. Miles are credited to the JAL Corporate Mileage account based on actual miles flown by employees in first or Executive class on JAL international routes anywhere in the world. Individual members of the JAL Mileage Bank who have been receiving special "bonus" miles will continue to receive these bonuses, but this mileage is not credited to the company account. "). However, Brower alone or combined with another prior art of record does not fairly teach or render obvious determining whether usage of the vehicle covered by the mileage service is for a business of said one of the corporations registered for the corporate mileage service, based on comparison between a working date and a working location of the employee and a usage date and a location of using the vehicle covered by the mileage service and if said usage of the vehicle covered by the mileage service is for a business of said one of the corporations registered for the corporate mileage service, and based on this determination adjust the miles to be credited to said one of the corporations registered for the corporate mileage service in a mileage information database. In this regard, the

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applicant's arguments filed on 10/12/2006 (see Remarks, pages 15-16), are equally persuasive and compelling that the prior art of record, either alone or combined, does not fairly teach or render obvious the currently amended claims 1 and 5-7.

2. "Betting on a quick, decisive battle in the scramble for mileage program members: ANA'S CTI Internet-ready system", Computopia, Japan, Computer Age Co., Ltd., August 1, 1997, Vol. 32, No. 371, pages 56-57; received in IDS on 5/20/2004, hereinafter, referred to Computerage, teaches a computerized system and process for keeping track of accumulated mileage from the point of boarding. Computerage discloses a boarding reservation terminal having means for accepting a boarding reservation/information and means for transmitting boarding reservation/acceptance information to information database device, said boarder information data device includes a database and means for receiving information from boarding reservation terminal, means for asking said mileage information database device for customer attributes with respect to at least the mileage service of a boarding customer based on said boarding reservation information, means for recording said boarding reservation information and said customer attributes in combination, means for returning said boarding reservation information and said customer attributes in combination to said boarding reservation terminal, means for receiving said boarding acceptance information transmitted from said boarding acceptance terminal, means for storing said boarding acceptance information to said mileage information database device (see page 1, "*.....And just by inserting one's credit card into a ticket vending machine at the airport, the*

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reservation information is verified and a boarding pass is issued....", see page 2, paragraphs " With CTI, which was inaugurated on July 1,.....The mileage system is tied online with Loa Angeles and London for 24 hours.....It was made to be a system that can offer quick response with SMP servers and CTI, and that can further improve its services in the future". Computerage, alone or combined with other prior art including that discussed above, does not disclose or render obvious the step of determining if the boarder is an employee of one of the corporations registered for the corporate mileage service and whether usage of the vehicle covered by the mileage service is for a business of said one of the corporations registered for the corporate mileage service based on comparison between a working date and a working location of the employee and a usage date and a location of using the vehicle covered by the mileage service.

3. Gardner et al. (US Publication 2002/0178034A1) discloses an automated travel system 10 (see figs. 1 and 2) facilitating booking of tickets, airline boarding process supplier interfacing, reservation services, settlement/account handling and reporting but does not disclose, alone or combined with other prior art including the ones discussed above, determining if the boarder is an employee of one of the corporations registered for the corporate mileage service and whether usage of the vehicle covered by the mileage service is for a business of said one of the corporations registered for the corporate mileage service based on comparison between a working date and a working location of the employee and a usage date and a location of using the vehicle covered by the mileage service. The applicant's arguments filed on 2/10/2005 (see remarks, pages 18-19) and 7/27/2005 (see Remarks, pages 3-4) in regards to Gardner et al. are

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persuasive and compelling that the prior art of record, either alone or combined, does not fairly teach or render obvious the currently amended claims 1 and 5-7.

4. Pugliese, III et al. (US Publication 2001/0016825A1) teaches electronic ticketing and reservation system and method including boarding via computer terminals at airport and checking baggage etc. (see at least paragraphs 0011-0021) but does not disclose, alone or combined with other prior art including the ones discussed above, determining if the boarder is an employee of one of the corporations registered for the corporate mileage service and whether usage of the vehicle covered by the mileage service is for a business of said one of the corporations registered for the corporate mileage service based on comparison between a working date and a working location of the employee and a usage date and a location of using the vehicle covered by the mileage service. The applicant's arguments filed on 2/10/2005 (see remarks, pages 18-19) and 7/27/2005 (see Remarks, pages 3-4) in regards to Gardner et al. are persuasive and compelling that the prior art of record, either alone or combined, does not fairly teach or render obvious the currently amended claims 1 and 5-7.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

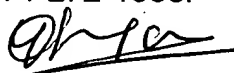
Any inquiry concerning this communication or earlier communications from the

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examiner should be directed to Yogesh C. Garg whose telephone number is 571-272-6756. The examiner can normally be reached on Increased Flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Yogesh C Garg
Primary Examiner
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YCG
2/26/2007